

Amendment No. 1 to SB1215

Stanley
Signature of Sponsor

AMEND Senate Bill No. 1215*

House Bill No. 1962

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1503, is amended by adding the following language as new, appropriately numbered subdivisions:

() "Retail tobacco store" means a retail store that derives its largest category of sales from tobacco products and accessories;

() "Self-service display" means a display that contains a tobacco product and is located in an area openly accessible to consumers, and from which consumers can readily access tobacco products without the assistance of a salesperson. A display case that holds tobacco products behind locked doors does not constitute a self-service display;

SECTION 2. Tennessee Code Annotated, Section 39-17-1507, is amended by adding the following language as a new, appropriately designated subsection:

() It is unlawful for any person to sell cigarettes through a self-service display unless the display is a vending machine as permitted in subsection (a). For purposes of this subsection, "cigarette" does not include little cigars as defined in 15 U.S.C. §1332;

SECTION 3. Tennessee Code Annotated, Section 39-17-1504, is amended by adding the following language as a new, appropriately designated subsection:

() It is unlawful for a retail tobacco store to permit any person of less than eighteen (18) years of age to enter the store unless such person is accompanied by the person's parent or legal guardian.

SECTION 4. Tennessee Code Annotated, Section 39-17-1506, is amended by redesignating subsection (b) as subsection (c) and by adding the following language as a new subsection (b):

(b) Every retail tobacco store shall post conspicuously and keep so posted at every public entrance to such store a sign stating the following:

STATE LAW STRICTLY PROHIBITS
PERSONS UNDER THE AGE OF EIGHTEEN (18) YEARS
FROM ENTERING A RETAIL TOBACCO STORE UNLESS
ACCOMPANIED BY THE PERSON'S PARENT OR LEGAL GUARDIAN
PROOF OF AGE MAY BE REQUIRED

SECTION 5. Tennessee Code Annotated, Title 39, Chapter 17, Part 15, is amended by adding the following language as a new section:

§ 39-17-15__.

No provision of this part shall affect in any way the manner in which brands of tobacco products are displayed relative to other brands by a person who sells tobacco products at retail.

SECTION 6. This act shall take effect July 1, 2009, the public welfare requiring it.